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MEMO ENDORSED

12 MISC 00357

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK-----X
IN RE APPLICATION OF MARE SHIPPING,
INC. and APOSTOLOS MANGOURAS,

Applicants,

MISC. No. _____

v.

THE AMERICAN BUREAU OF SHIPPING.
INC.,

Respondent.

MEMO ENDORSED

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: <u>11/5/12</u>

S.D. OF N.Y.

12 OCT 25 PM 1:45

FILED

**EX PARTE APPLICATION PURSUANT TO 28 U.S.C. § 1782 FOR AN
ORDER COMPELLING DISCOVERY FOR USE IN A FOREIGN LITIGATION**

Applicants, Mare Shipping Inc. ("Mare") and Apostolos Mangouras ("Mangouras") (collective referred to as "Applicants") by and through their undersigned attorneys hereby move this Honorable Court for an Order, pursuant to 28 U.S.C. § 1782, directing the American Bureau of Shipping Inc. ("ABS"), a corporation with offices located in New York, New York, to produce documents for use in a proceeding in a foreign tribunal, specifically in Madrid, Spain, in accordance with the Subpoena attached hereto as Exhibit 1. Applicants respectfully request that the Court order that the documents be produced at the offices of the undersigned, unless otherwise agreed by the parties, on or before November 7, 2012.

In further support of this Application, Applicants submit simultaneously herewith their Memorandum of Law together with the Affidavits of Jose Maria Ruiz Soroa and Thomas L. Tisdale.

MEMORANDUM

Memorandum Endorsement Mare Shipping, Inc.v . Amer. Bureau of Shipping 12 Misc. 0357

Applicants' application, pursuant to 28 U.S.C. § 1782, is granted to the extent that the subpoena attached to the application as Exhibit 1 shall be issued and may be served without prejudice to such objections as the respondent may assert by appropriate means and in a timely fashion.

SO ORDERED.

Dated: November 5, 2012

A handwritten signature in black ink, appearing to read "Lewis A. Kaplan", is written over a horizontal line.

Lewis A. Kaplan.
United States District Judge